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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/065,439

10/17/2002

Craig J. Jensen

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05/24/2005

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EXAMINER

MIRZA, ADNAN M

ART UNIT

PAPER NUMBER

2145

DATE MAILED: 05/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,439

Applicant(s)

JENSEN, CRAIG J.

Examiner

Adnan M. Mirza

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-23 rejected under 35 U.S.C. 103(a) as being unpatentable over Babbit et al (U.S. 6618757) and McCann et al (U.S. 6,052,725).

As per claims 1,15,22 Babbit disclosed A system for remotely accessing an internet connection having a dynamic IP address, the system comprising: an internet appliance coupled to an internet connection; a dynamic IP relay hardware device coupled with said internet appliance and said internet connection (col. 2, lines 13-29); a dynamic IP address associated with said internet connection; and, said dynamic IP relay hardware is not a general purpose personal computer (col. 5, lines 38-48). Whereby the remote user is provided with the dynamic IP address which can be used to facilitate remote access of the internet appliance.

However Babbit failed to disclose said device being configured to report to a remote user, via said Internet connection.

In the same field of endeavor McCann disclosed The DHCP server enables a network to dynamically assign IP addresses to communication devices automatically. Once the

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communication session has ended, the local DHCP server reclaims to the local dynamic IP address from the communication device and makes the address available for reuse in local pool of local dynamic IP addresses (col. 4, lines 51-57).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have incorporated said device being configured to report to a remote user, via said Internet connection as taught by McCann in the method of Babbit to increase the availability of the IP addresses during the high usage demand times.

3. As per claim 2 Babbit-McCann disclosed wherein said dynamic IP relay hardware comprises a microprocessor and software executed by said microprocessor which, in combination, are configured to generate a report of an IP address for said internet connection in response to an occurrence of a predetermined event (McCann, col. 3, lines 6-23).

4. As per claim 3 Babbit-McCann disclosed wherein said predetermined event comprises a passage of a predetermined amount of time (Babbit, col. 9, lines 3-14).

5. As per claims 4,16 Babbit-McCann disclosed wherein said predetermined event comprises a determination, at least in part, by monitoring software, that a dynamic IP address for said internet connection has been changed (McCann, col. 3, lines 6-23).

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6. As per claim 5 Babbit-McCann disclosed wherein said report is configurable in response to a particular configuration state of configuration software executed by said microprocessor (McCann, col. 6, lines 40-63).

7. As per claim 6 Babbit-McCann disclosed wherein said configuration software is configured to provide for configuration thereof by a device external to said dynamic IP relay hardware device (McCann, col. 6, lines 40-63).

8. As per claim 7 Babbit-McCann disclosed wherein said dynamic IP relay hardware device comprises a printed circuit board disposed in a case housing other electronic hardware coupled to a computer network (McCann, col. 6, lines 52-62).

9. As per claim 8 Babbit-McCann disclosed wherein said microprocessor assists in initiating a dial-up Internet connection in response to an incoming telephone call (Babbit, col. 5, lines 23-34).

10. As per claims 9,17 Babbit-McCann disclosed wherein a security procedure is completed prior to initiating said dial-up Internet connection (Babbit, col. 5, lines 23-34).

11. As per claim 10 Babbit-McCann disclosed wherein said security procedure comprises matching incoming information with predetermined information (McCann, col. 4, lines 25-44).

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12. As per claim 11 Babbit-McCann disclosed wherein said incoming information comprises a series of DTMF tones (McCann, lines 5-19).

13. As per claim 12 Babbit-McCann disclosed wherein said incoming information comprises caller ID information (McCann, col. 4, lines 5-11).

14. As per claims 13,19 Babbit-McCann disclosed wherein said dynamic IP relay hardware device comprises a stand-alone device which is not completely housed within a case containing a modem (McCann, col. 3, lines 6-23).

15. As per claim 14 Babbit-McCann disclosed wherein said dynamic IP relay hardware device comprises a stand-alone device which is not completely housed within a case containing a router (McCann, col. 3, lines 7-23).

16. As per claims 18,23 Babbit-McCann disclosed further comprising the steps of: answering an incoming telephone call; receiving incoming authorization information during said incoming telephone call (McCann, col. 5, lines 32-39); matching said incoming authorization information to predetermined authorization information; initiating a dial-up connection in response to said step of matching said incoming authorization information to predetermined authorization information; and wherein said dial-up connection comprises said internet connection (McCann, col. 5, lines 39-54).

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17. As per claims 20,21 Babbit-McCann disclosed a system for accessing information from an unattended internet appliance via an internet connection having dynamic IP addresses comprising: an unattended internet appliance; a telephone modem disposed between and interconnecting said unattended internet appliance with a remote user via a dial-up internet connection (McCann, col. 3, lines 6-23); a stand-alone electronic hardware device which is not a general purpose personal computer and which is further not disposed in a case with a device which is configured for communicating information across a computer network; said stand-alone electronic hardware device comprising a microprocessor and memory which is configured to store software therein which is executed by said microprocessor (McCann, col. 6, lines 40-63); said stand-alone electronic hardware device being configured to receive report configuration commands from an external personal computer; said microprocessor and said software together configured to initiate said dial up internet connection in response to an incoming telephone call which authorizes said dial-up internet connection only after incoming information is matched to predetermined authorization information (Babbit, col. 5, lines 23-34); and, said microprocessor and said software together further configured to generate an e-mail report indicating a current IP address for said dial-up internet connection, where said e-mail report is in response to said report configuration commands (McCann, col. 3, lines 6-23).

Response to Arguments

Applicant's arguments filed 06/01/2004 have been fully considered but they are not persuasive.

Responses to applicant's arguments are as follows.

18. Applicant argued that prior art did not disclose, "Whereby the remote user is provided with the dynamic IP address which can be used to facilitate remote access of the internet appliance".

As to applicant's arguments Babbitt disclosed, "World Wide Web (WWW) traffic requires further abstraction. HTTP is the protocol used to encapsulate WWW traffic. End-users surf the web using the Web Browser software. Each web browsing "session" is comprised of transferring of series of web pages. Each web pagesis made of multiple URLS (uniform resource identifiers). A URI can correspond, for example, to text or to in-line images. We may think of URLs as files that, in some versions of HTTP, required individual connections" (col. 6, lines 27-34). Also McCann disclosed, "If a local dynamic IP address is not be able, then the processing proceeds to step 202, FIG. 5, and the local network requests a non-local remote dynamic IP address from the remote network associated with the remote pool of non-local dynamic IP addresses (col. 4, lines 17-24).

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19. Applicant argued that prior art did not disclose, “ device being configured to report to a remote user, via said internet connection, a dynamic IP address associated with said internet connection”.

As to applicant’s argument McCann disclosed, “The DHCP server enables a network to dynamically assign IP addresses to communication devices automatically. Once the communication session has ended, the local DHCP server reclaims to the local dynamic IP address from the communication device and makes the address available for reuse in local pool of local dynamic IP addresses (col. 4, lines 51-57)”.

Conclusion

20. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

21. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (571)-272-3885.

22. The examiner can normally be reached on Monday to Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin Wallace can be reached on (571)-272-6159. The fax for this group is (703)-746-7239.

23. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7239 (For Status Inquiries, Informal or Draft Communications, please label "PROPOSED" or "DRAFT");

(703)-746-7239 (For Official Communications Intended for entry, please mark "EXPEDITED PROCEDURE"),

(703)-746-7238 (For After Final Communications).

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24. Any Inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Any response to a final action should be mailed to:

BOX AF

Commissioner of Patents and Trademarks Washington, D.C.20231

Or faxed to:

Hand-delivered responses should be brought to 4th Floor Receptionist, Crystal Park II,
2021 Crystal Drive, Arlington, VA 22202.

AM

Adnan Mirza

Examiner

V. Martin-Wallace
VALENCIA MARTIN-WALLACE
SUPERVISORY PATENT EXAMINER